



PATENT  
ATTORNEY DOCKET NO. 040894-7264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Kazuhiko SATO, et al. ) Confirmation No.: 2387  
Application No.: 10/539,209 ) Group Art Unit: 1621  
Filed: June 17, 2005 ) Examiner: Jafar F. PARSA  
For: METHOD FOR PRODUCING ) Mail Stop RCE  
CARBOXYLIC ACID )  
)

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Mail Stop RCE**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed concurrently with a Request for Continued Examination in the above-referenced application.

DE 196 32 922 was cited in an Office Action from the German Patent Office dated August 14, 2006(copy enclosed), in a counterpart foreign application. U.S. Patent No. 5,801,276 is a U.S. counterpart of DE 196 32 922. A copy of the German Patent document is enclosed.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior

art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

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Dated: November 16, 2006

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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No.

040894-7264

Application No.

10/539,209

Applicants: Kazuhiko SATO, et al.

Filing Date: June 17, 2005

Group Art Unit: 1621

### U.S. PATENT DOCUMENTS

| *Examiner Initial | Document Number | Date       | Name            | Class | Sub Class | Filing Date |
|-------------------|-----------------|------------|-----------------|-------|-----------|-------------|
|                   | 5,801,276       | 09/01/1998 | Neumann, et al. |       |           |             |
|                   |                 |            |                 |       |           |             |
|                   |                 |            |                 |       |           |             |
|                   |                 |            |                 |       |           |             |
|                   |                 |            |                 |       |           |             |
|                   |                 |            |                 |       |           |             |
|                   |                 |            |                 |       |           |             |

### FOREIGN PATENT DOCUMENTS

|  | Document Number | Date       | Country | Class | Sub Class | Translation<br>YES      NO |
|--|-----------------|------------|---------|-------|-----------|----------------------------|
|  | DE 196 32 922   | 02/12/1998 | Germany |       |           | Abstract                   |
|  |                 |            |         |       |           |                            |

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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November 16, 2006

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